

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Utility Easement Vacate for 107 Oak Street

DEPARTMENT: Planning and Development **DIVISION:** Development Review

AUTHORIZED BY: Dori DeBord

CONTACT: Cynthia Sweet

EXT: 7443

MOTION/RECOMMENDATION:

Adopt and authorize the Chairman to execute a Resolution to vacate and abandon the platted 7 feet wide utility easement situated at the east side of Lot 4, Sanlando Estates, as recorded in Plat Book 12, Page 53, of the Public Records of Seminole County, Florida, and further described as 107 Oak Street, Altamonte Springs, Florida; in Section 03, Township 21 S, Range 29 E, Alan P. and S. Marie Hubley, applicant.

District 3 Dick Van Der Weide

Cynthia Sweet

BACKGROUND:

The applicant, Alan P. and S. Marie Hubley, is requesting to vacate and abandon the platted 7 feet wide utility easement situated at the east side of the property located at 107 Oak Street, Altamonte Springs, Florida, and further described as Lot 4, Sanlando Estates, as recorded in Plat Book 12, Page 53, Public Records of Seminole County, Florida, in Section 03, Township 21 S, Range 29 E.

The applicant is requesting to vacate and abandon the described utility easement to allow an existing utility shed to remain and to build a new utility shed in the existing utility easement. There are no utilities within the platted utility easement and is not being used for any utility purposes. The vacation and abandonment of the utility easement is necessary to prevent the proposed storage shed from encroaching into the platted utility easement and to prevent a potential "cloud of title".

On March 23, 2009, the Board of Adjustment granted a variance for a rear yard setback variance from 30 feet to 6 feet for a proposed shed and a rear yard setback variance from 10 feet to 6 feet for an existing shed, subject to the Board vacating and abandoning the platted utility easement. The applicant has provided letters from the applicable utility companies stating "no objections" to the request.

STAFF RECOMMENDATION:

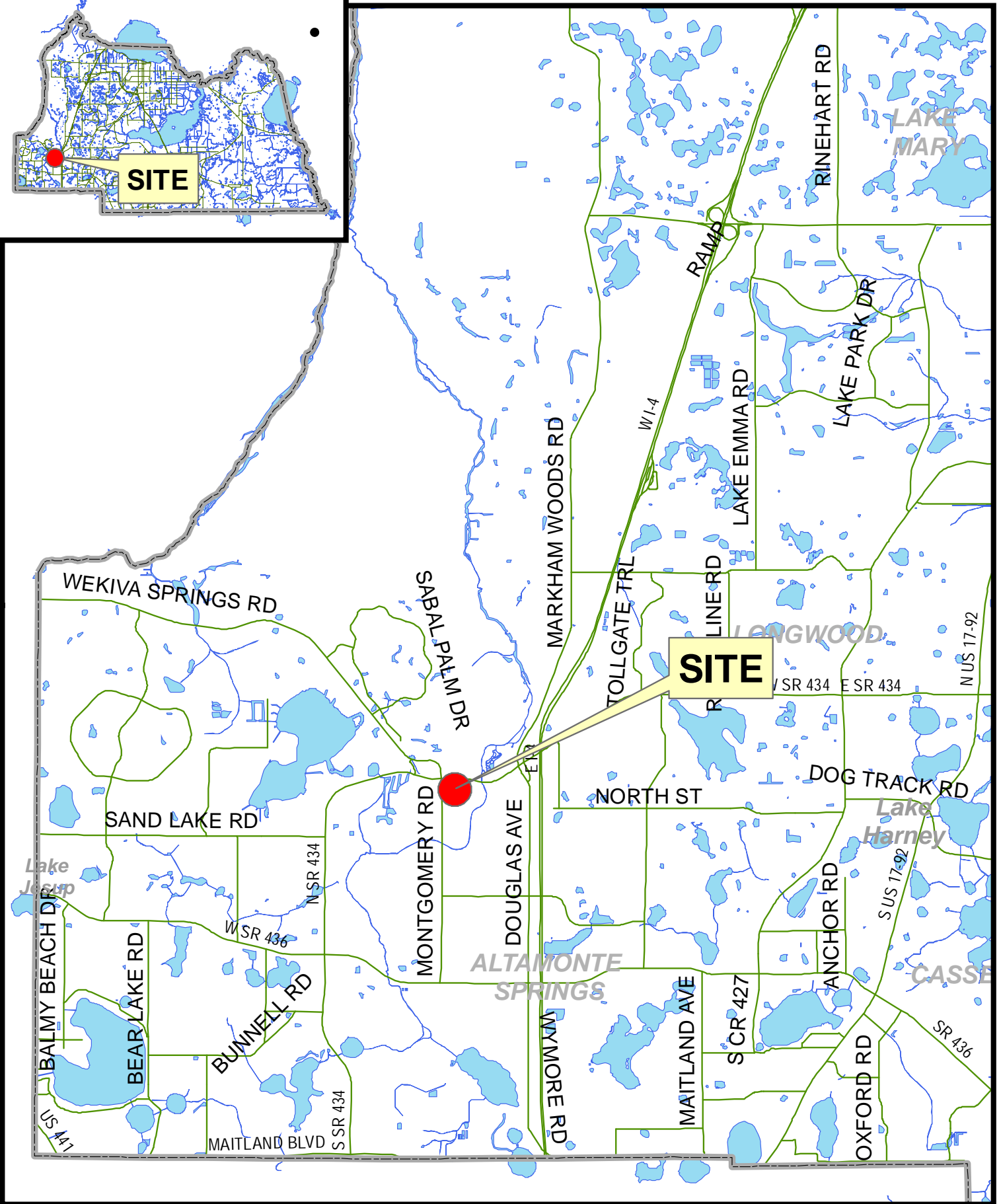
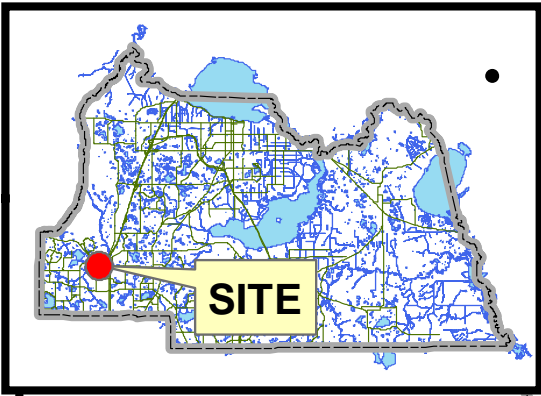
Staff recommends that the Board adopt and authorize the Chairman to execute a Resolution to vacate and abandon the platted 7 feet wide utility easement situated at the east side of Lot 4, Sanlando Estates, as recorded in Plat Book 12, Page 53, of the Public Records of Seminole County, Florida, and further described as 107 Oak Street, Altamonte Springs, Florida; in Section 03, Township 21 S, Range 29 E, Alan P. and S. Marie Hubley, applicant.

ATTACHMENTS:

1. Maps and Aerials
2. Maps and Aerials
3. Maps and Aerials
4. Resolution
5. Sketch of Description

Additionally Reviewed By:

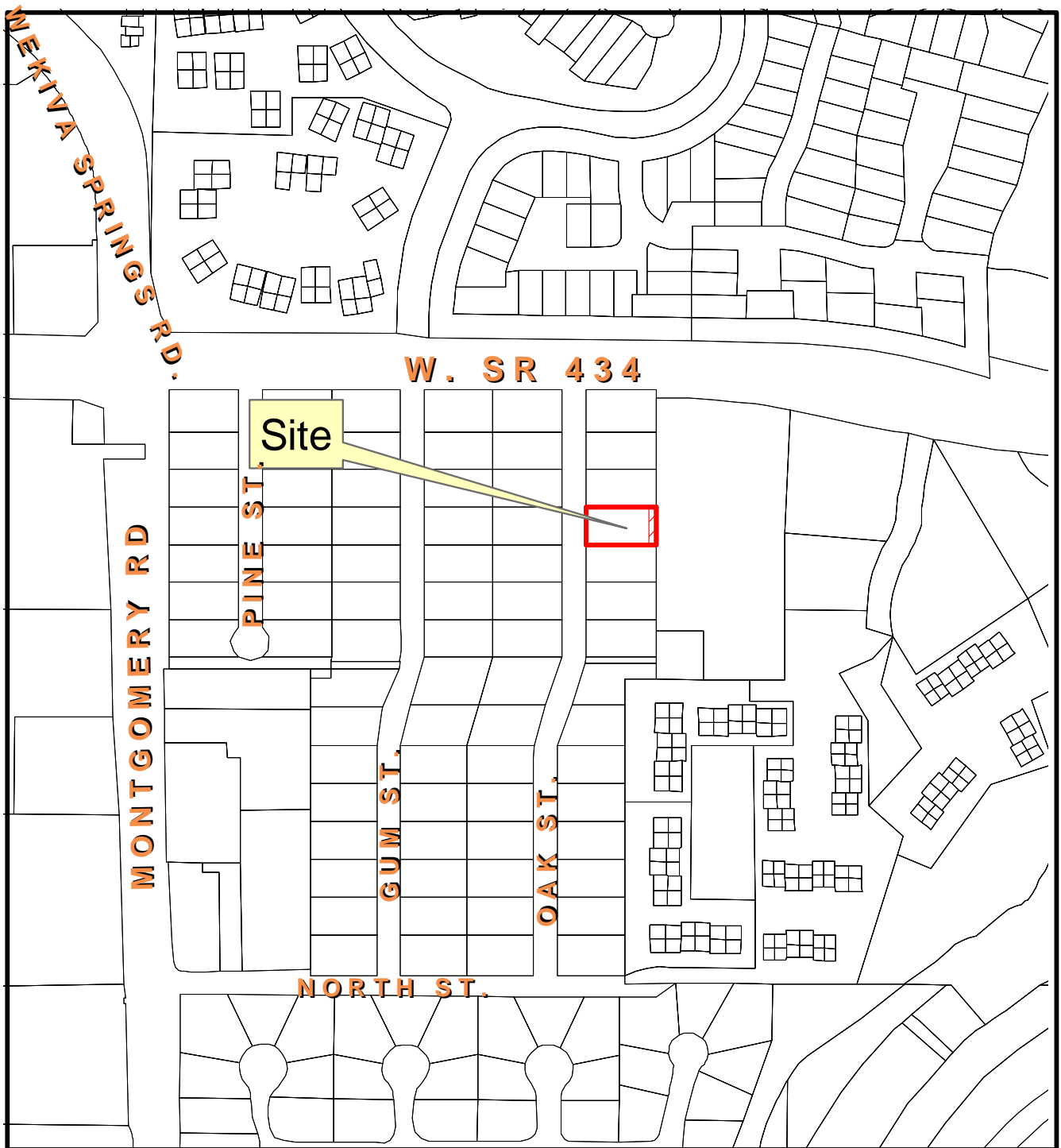
☒ County Attorney Review (Kathleen Furey-Tran)



filename: L:/pl/projects/p&z/2006/GIS/staff_report_pkgs/site/maps_large/Z2006-0**sitmap.mxd ***06

107 Oak Street Utility Easement Vacate

EXHIBIT A





107 OAK STREET UTILITY EASEMENT VACATE





107 Oak Street.
Utility Easement Vacate

 Parcel
 Subject Property



January 2009 Color Aerials

EXHIBIT C

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 11th DAY OF AUGUST A.D., 2009.

**RESOLUTION TO VACATE AND ABANDON A
UTILITY EASEMENT**

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Whereas, a Petition was presented on behalf of

ALAN P. AND S. MARIE HUBLEY

to the Board of County Commissioners of Seminole County, Florida, requesting the closing, vacating, and abandoning of the following described utility easement to-wit:

LEGAL DESCRIPTION

A RESERVATION FOR UTILITIES LYING WITHIN THE EAST 7 FEET OF LOT 4, SANLANDO ESTATES, AS RECORDED IN PLAT BOOK 12, PAGE 53, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS IN ATTACHED "EXHIBIT A"

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, having determined that the abandonment of the above described utility easement is to the best interest of the County and the public in that the area in question is not needed for utility purposes and not necessary for public need.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that the above described utility easement be, and the same is hereby abandoned, closed, and vacated, and that all right in and to the same on behalf of the County and the public be, and the same is hereby disclaimed.

PASSED AND ADOPTED this 11th day of August A.D., 2009.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA**

BY:

MARYANNE MORSE
CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BOB DALLARI
CHAIRMAN

EXHIBIT E